(3)

BEFORE THE HON'BLE STATE ADMINISTRATIVE TRIBUNAL BENCH

RAIPUR, CHHATTISGARH

Original Application No. 115 /2002

Sandip Dubey,
Son of Shri Krishna Kumar Dubey,
Age 28 years, Assistant Teacher
Posted at Primary School Ganiyari (Dr.)
Block and District Durg (C.G.)

2. Manik Lal Patel,
Son of Shri Agarhij Ram Patel,
Age 39 years, Assistant Teacher,
Posted at Primary School Bhansuli,
Block Patan, District Durg (C.G.)

3. Hori Lal Sahu,
Son of Shri Jivrakhan Sahu,
Age 46 years, Assistant Teacher,
Govt. Middle School Kesara,
Block Paten, District Durg (C.G.)

4. Bhanu Ram Khewar,
Son of Shri Khewar,
Age 38 years, Assistant Teacher,
Govt. Primary School Chunkatta,
Block Patan, District Durg (C.G.)

5. Smt. Kalpana Dewangan,
Daughter of Shri Gajendra Kumar Dewangan,
Age 33 years, Assistant Teacher,
Posted at Govt. Primary School Phekari,
Sankul Kendra Selud, Block Patan,
District Durg (C.G.)

6. Smt. Kaushilya Khaparde,
Assistant Teacher, Age 39 years,
Posted at Govt. Girls Primary School
Selud, Sankul Centre, Selud, Block Patan,
District Durg (C.G.)

7. Smt. Sangita Thakur,
Wife of Shri K.K.Thakur, Age 33 years,
Assistant Teacher, Govt. Girls Primary
School Bhilai, District Durg.

8. Smt. Kiran Mayi Jamre, Wife of
Shri Takhat Ram Jamre, Age 35 years,
Assistant Teacher, Govt. Primary School,
Arkar, District Durg (C.G.)

... Applicants

Versus

1. State of Chhattisgarh,
Through Secretary,
School Education Department,
Mantralaya, D.K.S.Bhawan,
Raipur, Chhattisgarh.

2. Director,
Public Instruction, Pension Bada,
Raipur (Chhattisgarh).

3. District Education Officer,
Education District Durg,
District Durg (C.G.) .. Non-Applicants

APPLICATION UNDER SECTION 19 OF STATE ADMINISTRATIVE TRIBUNAL ACT 1985

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO.4524 OF 2005

Petitioners : Sandip Dubey and others

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.4637 OF 2005

Petitioners : Shyam Sundar Sharma and others

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.4407 OF 2005

Petitioners : Umesh Dwivedi and another

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.4410 OF 2005

Petitioners : Smt. Anju Raghav and another

versus

Respondents : State of Chhattisgarh and others

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WRIT PETITION (S.) NO.4082 OF 2005

Petitioners : Ashok Kumar Deonath and others

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.4521 OF 2005

Petitioners : Chandrakant Sahu and others

versus

Respondents : State of Chhattisgarh and another

Present : Mr. Anupam Dubey and Mr. Kunal Das, counsel for the petitioner(s).

Mr. V.V.S.Moorthy, Deputy Advocate General with Ms. Sunita Jain, Panel Lawyer for the State/respondents.

ORDER

(Passed on 15th Day of December, 2006)

Learned counsel appearing for the petitioners as also for the State/respondents jointly submit that the facts and question of law involved in the present batch of writ petitions are squarely covered by the decision of this Court in the case of ***Yashwant Kumar Bharadwaj*** vs. ***Municipal Corporation, Durg and another***[1] .

2. In subsequent cases, i.e., Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma*** vs. ***The State Govt. of Chhattisgarh and another***) and other connected matters, decided by this Court on

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15-12-2006, pursuant to the memo dated 28-1-1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Basic Training Institute, i.e., B.T.I. has been changed and renamed as Diploma in Education, i.e., D.Ed. Accordingly, the D.Ed. Certificate holders are also covered by the decision in Writ Petition (S.) No.4130 of 2005 (*Gopesh Kumar Verma* vs. *The State Govt. of Chhattisgarh and another*) (Supra).

3. For the aforementioned reasons, the writ petitions are disposed of in terms of the decision of this Court in the matter of *Yashwant Kumar Bharadwaj* (Supra), subject to verification of the fact as to whether the petitioners have acquired B.Ed./B.T.I./D.Ed. Certificates at their own expenses as per the circulars dated 24-12-1998 and 1-3-1999 and further whether they have been paid two advance increments or not. No order as to costs.

4. A copy of this order be placed on the record of the connected writ petitions.

Sd/-
Satish K. Agnihotri
Judge

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Gopal